

MEMORANDUM ENDORSED

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February 28, 2023

Via ECF

Honorable Gregory H. Woods, U.S.D.J.

United States District Court

500 Pearl Street, Room 1620

New York, NY 10007

Re: **Joint Letter to Judge Woods to Stay Discovery for Completion of Settlement and Mediation of Attorney's Fees Award; Douglas G. Richardson v. Pond5 et al.; Case No: 1:22-cv-04963-GHW**

Dear Judge Woods:

We represent the plaintiff, Douglas G. Richardson ("Doug Richardson" or "Plaintiff") in this case.

We are writing jointly with the Defendants, Pond5, Inc. and Shutterstock, Inc. ("Pond5" and "Shutterstock" collectively "Defendants") to report that we reached an agreement in principle on the monetary component of a settlement of this case related to Plaintiff's claim for damages. The parties' only remaining dispute concerns the parties reaching an agreement regarding Plaintiff's reasonable attorney's fees and costs to be paid in a settlement of this case. We ask that the Court refer this matter to a Magistrate Judge for mediation on the level of attorney's fees and costs.

The parties also jointly request a stay of the scheduled discovery and motion practice deadlines, so that neither party expends any further attorney's fees and expenses while mediating the attorney's fees and costs level in an effort to complete the settlement of this case.

1. **The Original Due Date:**

There is a Civil Case Management Plan and Scheduling Order signed by Hon. Judge Woods and Entered on 12/21/2022 (Dkt. No. 44). The Court also entered a briefing scheduling on Plaintiff's motion to strike affirmative defenses and dismiss counterclaims on January 19, 2023 (Dkt. No. 47).

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2. The number of Previous Requests for Adjournment or Extension of Time:

The parties have previously requested two extensions of time to answer the Complaint and two adjournments of the initial pretrial conference. This is the parties' first request for an extension of the deadlines set forth in Civil Case Management Plan and Scheduling Order and the deadlines related to the pending motion practice.

3. The Reason for the Current Request

The parties jointly request a stay of discovery and pending motion practice deadlines in order for the Court to refer the case to a Magistrate for mediation on the level of Plaintiff's attorney's fees and costs.

4. Consent by Adversary

Plaintiff, Doug Richardson, and Defendants Pond5 and Shutterstock jointly make this request.

5. Proposed Alternative Date:

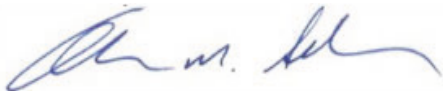
--None--

The requested stay would postpone all currently scheduled dates.

Accordingly, the parties jointly request a stay of discovery and motion practice deadlines, and for the Court to refer the case to a Magistrate Judge for mediation.

Respectfully Submitted,

SACK IP Law p.c.




Alan M. Sack

Attorney for Plaintiff, Douglas G. Richardson

Application granted. All pending deadlines are hereby stayed pending mediation before a Magistrate Judge. The parties are directed to file a joint status report within seven days of completing such mediation. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 49 and to note the stay on the docket.

SO ORDERED.
Dated: March 2, 2023
New York, New York



GREGORY H. WOODS
United States District Judge